

Remarks

The Final Office Action dated February 10, 2006, has been carefully considered.

Claims 1, 9, 12, 20, 21, 28, 30 and 31 are currently amended to correct a spelling error.

Claims 1, 7, 9, 10, 12, 20-21, 28, and 29 are rejected under 35 U.S.C. § 102(e) as being anticipated by Pesce, et al. (U.S. Pat. No. 6,844,430). The Office Action also rejects claims 2-6, 8, 11, 13-19, 22-27, and 30-31 under 35 U.S.C. § 103(a) as being unpatentable over Pesce et al. as applied to claims 1, 7, 9-10, 12, 20-21 and 28-29 above.

In Paragraph 6 of the Office Action the Examiner states the present invention claims a superabsorbent polymer comprising a polymer resin and an aminopolysaccharide polymer. The present invention is not directed to an article including a superabsorbent polymer, but is directed to the superabsorbent polymer as set forth in the claims. As is well known, a polymer is a macromolecule formed by the chemical union of combining units called monomers. As set forth in the present invention, *"Superabsorbent refers to a water-swellaable, water insoluble organic or inorganic material capable of absorbing at least about 10 times its weight and up to about 30 times its weight in an aqueous solution containing 0.9 weight percent sodium chloride solution in water. A superabsorbent polymer is a crosslinked neutralized polymer which is capable of absorbing large amounts of aqueous liquids and body fluids, such as urine or blood, with swelling and the formation of hydrogels, and retaining them under a certain pressure in accordance with the general definition of superabsorbent."*

The present application further states, *"As a result of these absorbent properties, these polymers are chiefly used for incorporation into sanitary articles, such as babies' diapers, incontinence products or sanitary towels."*

It is clear by the foregoing that the claimed invention is not directed to all articles that are disposable articles made from a polymer composition, but is specifically directed to a superabsorbent polymer that has specific characteristics as set forth in the definition of the term superabsorbent polymer and in the claims of the present invention.

In paragraph 6 of the present Office Action, the Examiner sets forth that Pesce et al. is directed towards an article that is a disposable absorbent article made from a polymer composition. The Examiner has failed to point out where Pesce et al. discloses this. Nowhere does Pesce et al. state that the absorbent article is made from a polymer composition. To the contrary, at best Pesce et al. discloses the article, which delivers outstanding odor control, and includes a polymer such as a cationic polysaccharide. In the Abstract, Pesce et al. states the present invention relates to articles, preferably disposable absorbent articles like sanitary napkins and pantliners, which comprise a cationic polysaccharide, typically chitin based material and/or chitosan material and an acidic pH buffering means.

Pesce et al. discloses a superabsorbent polymer, at col 12, beginning at line 30, wherein the articles of the present invention preferably further comprise on top of the cationic polysaccharides and acid pH buffering means, optional conventional agents or mixtures thereof, including an absorbent gelling material referred to as a super-absorber. No place does Pesce et al. disclose a superabsorbent polymer comprising a polymeric resin composition and a water swellable water insoluble aminopolysaccharide polymer.

The claims of the present invention specifically set forth that the superabsorbent polymer comprises a polymeric resin composition and an aminopolysaccharide polymer. Pesce et al. does not disclose such a superabsorbent polymer. Pesce et al. discloses in column 16, beginning at line 6, Cationic polysaccharides and acidic pH buffering means may be

incorporated into the absorbent article by any of the methods described in the art, for example layered on the core of the absorbent article or mixed with the fibers of the absorbent core. In fact, beginning at line 62 of column 16, Pesce et al. states “In a preferred embodiment herein, wherein an absorbent gelling material is present, the absorbent gelling material is positioned such that at least a portion of the bodily fluid/exudate comes into contact with said absorbent gelling material before the cationic polysaccharides and pH buffering means.” By this, Pesce et al. clearly discloses the superabsorber of Pesce et al. does not include a polymeric resin and aminopolysaccharide polymer of the present invention, but discloses the superabsorber is separate from the polysaccharide and pH buffering agent.

The Examiner states that an absorbent composite in claim 21 and 29 are readable in the Pesce et al invention. Based on the foregoing, Pesce et al. does not disclose a superabsorbent polymer of the present invention and hence cannot disclose a composite comprising a superabsorbent of the present invention.

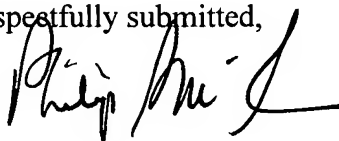
Further, in view of the foregoing, and based on the fact that Pesce et al. does not disclose the specified characteristics for the present claims 2-6, 8, 11, 13-19, 22-27, and 30-31, the rejection of these claims is moot and should be withdrawn.

As to the process claims 30-31, in view of the foregoing, and especially that Pesce et al discloses to keep the components separate, Pesce et al. would teach away from the present invention.

In view of the foregoing it is requested that the rejection of Claims 1, 7, 9, 10, 12, 20-21, 28, and 29 under 35 U.S.C. § 102(e) as being anticipated by Pesce, et al., and claims 2-6, 8, 11, 13-19, 22-27, and 30-31 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

If, however, any issues remain unresolved, the Examiner is invited to telephone Applicant's counsel at the number provided below.

Respectfully submitted,



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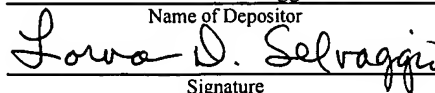
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